

JOURNAL OF THE HOUSE.

Thursday, January 31, 2008.

Met according to adjournment, at eleven o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

The National Anthem was sung by the Southbridge High School Choir. The guests of Mr. Alicea of Charlton.

National
Anthem.

Silent Prayer.

At the request of Mr. Rush of Boston, the members, guests and employees stood in a moment of silent prayer to the memory of Father Daniel Kennedy of Needham who died of a heart attack on Sunday, January 27, 2008. Father Kennedy was a graduate of Catholic Memorial School, Providence College and Saint John's Seminary and was a Lieutenant in the United States Navy Chaplain Corps. He was ordained a priest in the Archdiocese of Boston on May 26, 2007 and was the Parochial Vicar at Saint John the Evangelist Parish in Winthrop. Father Kennedy had met with Speaker DiMasi and other members of the House on several occasions. He was also the best friend of Representative Rush.

Reverend
Daniel
Kennedy,
Lt. U.S.N.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to providing for the disposition of surplus state real property based on smart growth land use policies (House, No. 4506) was filed in the office of the Clerk on Wednesday, January 30.

Surplus
property,
disposition.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Bonding, Capital Expenditures and State Assets. Sent to the Senate for concurrence.

Guests of the House.

Mr. Ross of Wrentham then briefly took the Chair for the purpose of introducing members of a fourth grade class from Freeman-Centennial School in the town of Norfolk, accompanied by their teacher, Mrs. Holt.

Freeman-
Centennial
School.

Mr. Ross then read a moving rendition of the courageous struggle of Maddie Savoie, a member of the class, and her battle against bone cancer. He also read the following inspirational poem, written by Maddie soon after her diagnosis:

Maddie
Savoie.

"It might be a tough day, but I'm tougher!

I might have a big big big disease but my heart is even bigger!

It's what's on the inside not the outside!

It may be a cloudy day, but that's not going to turn my smile upside down!".

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Richard
Manfredi.

Resolutions (filed by Messrs. deMacedo of Plymouth and Calter of Kingston) congratulating Richard Manfredi on retirement after thirty-four years of service to the town of Plymouth;

Give Kids
a Smile
Day.

Resolutions (filed by Messrs. Rodrigues of Westport and Sullivan of Fall River) recognizing February 1, 2008 as “Give Kids a Smile Day”;

C. Chapin
Cutler III.

Resolutions (filed by Mr. Rush of Boston) congratulations to C. Chapin Cutler III upon achieving the rank of Eagle Scout;

Matthew R.
Jagelski.

Resolutions (filed by Mr. Rush of Boston) congratulating Matthew R. Jagelski upon achieving the rank of Eagle Scout;

Adam F.
Shaheen.

Resolutions (filed by Mr. Rush of Boston) congratulating Adam F. Shaheen upon achieving the rank of Eagle Scout;

Lawrence
Irving.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Lawrence Irving on receiving the Eagle Award of the Boy Scouts of America; and

Egan P.
Muir.

Resolutions (filed by Mr. Stanley of Waltham) congratulating Egan P. Muir on receiving the Eagle Award of the Boy Scouts of America;

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Ross of Wrentham, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

Turnpike,
ethanol
pump
stations.

By Mr. Curran of Springfield, petition (subject to Joint Rule 12) of Sean Curran for an investigation by a special commission (including members of the General Court) relative to the installation of ethanol pumps at fueling stations along the Massachusetts Turnpike.

Web tax
filing,
credits.

By Mr. deMacedo of Plymouth, petition (subject to Joint Rule 12) of Viriato Manuel deMacedo for legislation to provide for an income tax credit for expenses incurred by businesses in complying with electronic income and corporate tax filing requirements.

Public safety
employees,
drug
testing.

By Mr. Donelan of Orange (by request), petition (subject to Joint Rule 12) of Christopher J. Donelan that public safety employees and emergency medical technicians employed by the Commonwealth and its political subdivisions be required to submit to drug and alcohol testing under standards promulgated by the Executive Office of Public Safety.

Affordable
housing,
planning.

By Mr. Eldridge of Acton, petition (subject to Joint Rule 12) of James B. Eldridge and others relative to affordable housing and community planning in the cities and towns of the Commonwealth.

South Shore
Development
Corporation.

By Mr. Mariano of Quincy, petition (subject to Joint Rules 12 and 9) of Ronald Mariano relative to the establishment of the South Shore Tri-Town Development Corporation and the redevelopment of the former Naval Air Station in South Weymouth; and the same was referred, under Rule 24, to the committee on Rules.

By Mr. Pedone of Worcester, petition (subject to Joint Rule 12) of Vincent A. Pedone relative to designating a bridge in the city of Worcester as the State Trooper Paul F. Barry Memorial Bridge.

Worcester,
Paul Barry
Bridge.

By Mr. Turner of Dennis, petition (subject to Joint Rule 12) of Cleon H. Turner for legislation to regulate the number of sales tax holidays, so-called, in the Commonwealth.

Sales tax
holidays,
regulate.

By Mr. Verga of Gloucester, petition (subject to Joint Rule 12) of Anthony J. Verga and others that the Registrar of Motor Vehicles be authorized to issue special plates to the surviving spouses of veterans.

Veterans
spouses,
plates.

Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

The Senate Bill to generate renewable energy and efficiency now (Senate, No. 2468), came from the Senate with the endorsement that said branch had non-concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in a duplicate of House document numbered 4373).

Renewable
Energy.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Panagiotakos, Morrissey and Tarr had been appointed as the committee on the part of the Senate.

Committee of
conference.

On motion of Mr. Dempsey of Haverhill, the House insisted on its amendment, and, on further motion of the same member, joined with the Senate in the appointment of a committee of conference. Representatives Dempsey, DeLeo of Winthrop and Loscocco of Holliston were appointed as the committee on the part of the House.

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Sent to the Senate to be noted.

Bills

To promote breastfeeding (Senate, No. 2438) (on Senate, No. 78); Establishing a sick leave bank for Kathryn McGaffey, an employee of the Department of Social Services (Senate, No. 2447) (on a petition); and

Breastfeeding.

Kathryn
McGaffey,
sick leave.

Relative to the oversight of inspections (Senate, No. 2473) (on Senate bill No. 1367);

Inspections,
oversight.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to genetically modified pharmaceutical crops (House, No. 865),— and recommending that the same be referred to the committee on Ways and Means. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the discharge of the committee.

Pharmaceutical
crops.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the Senate Bill providing for recall elections in the town of Wrentham (Senate, No. 2290) [Local Approval Received] be scheduled for consideration by the House.

Wrentham
elections.

Under suspension of Rule 7A, on motion of Mr. Ross of Wrentham, the bill was read a second time forthwith; and it was ordered to a third reading.

Westford,
land.

By Mr. Pedone of Worcester, for the committee on Municipalities and Regional Government, on a joint petition, a Bill relative to a land conveyance in the town of Westford (House, No. 4431) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Hall of Westford, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Scaccia of Boston, for the committees on Rules of the two branches, acting concurrently, that the following bills ought to pass:

Water
finance
commission.
Charles
River.

Establishing a water infrastructure finance commission (Senate, No. 2292, amended); and

Establishing a Charles River water quality commission (House, No. 897);

Severally referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the following bills ought to pass:

Teens,
mental
health.
Prisoners,
treatment.
Addiction,
treatment.
Diabetes
supplies.

Authorizing the Department of Mental Health to establish teen drop in centers (House, No. 1881) [Cost: \$500,000.00];

Relative to the treatment of prisoners (House, No. 1896, changed) [Estimated cost: More than \$100,000.00];

Increasing public safety by increasing access to addiction treatment (House, No. 1897) [Estimated cost: More than \$32,000,000.00]; and

Providing for an exemption from the sales tax for certain medical devices (House, No. 2842) [Estimated cost: More than \$100,000.00];

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the following bills ought to pass:

Mental health
services.
Free tobacco
products.

To improve access to mental health services (House, No. 1873);

To protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes (House, No. 2272);

Lakeville,
safety
officers.

Authorizing the town of Lakeville to pay benefits to the survivors of call firefighters and reserve police officers (House, No. 3956) [Local Approval Received];

Wareham,
employees.

Relative to provision of health insurance to surviving spouses of long term employees of the town of Wareham (House, No. 3987) [Local Approval Received];

Lanesborough,
health
insurance.

Regarding municipal retiree health insurance in the town of Lanesborough (House, No. 4060) [Local Approval Received];

Relative to the retirement and health insurance of certain elected officials in the town of Tyngham (House, No. 4287) [Local Approval Received];

Tyngham,
elected
officials.

Protecting the public health (House, No. 4346); and
To promote the safety of victims of violence (House, No. 4348);

Public health.
Victims of
violence.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Rodrigues of Westport, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill authorizing the city of Lynn to grant an additional liquor license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4378) [Local Approval Received].

Lynn,
Salvy the
Florist.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Amesbury to grant 2 additional alcoholic beverage licenses (House, No. 4426) [Local Approval Received].

Amesbury,
liquor
licenses.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Topsfield to issue a license for the sale of wine and malt beverages not to be drunk on the premises (House, No. 4428) [Local Approval Received].

Topsfield,
liquor
license.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Salem to grant an additional liquor license to Upper Crust (House, No. 4456) [Local Approval Received].

Salem,
Upper
Crust.

By the same member, for the same committee, on a joint petition, a Bill authorizing the city of Salem to issue additional liquor licenses for the sale of alcoholic beverages to Gulu Gulu Corp (House, No. 4457) [Local Approval Received].

Salem,
Gulu-Gulu
Cafe.

By the same member, for the same committee, on a joint petition, a Bill relative to certain licenses for the sale of all alcoholic beverages to be drunk on the premises in the town of Hingham (House, No. 4501) [Local Approval Received].

Hingham,
alcohol
licenses.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Order.

On motion of Mr. DiMasi of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

Next
sitting.

At twenty-four minutes after eleven o'clock A.M., on motion of Ms. Rogeness of Longmeadow (Mr. Donato of Medford being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.